

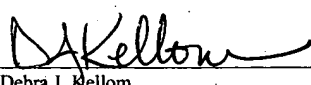


Practitioner's Packet No. 701826-055820

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Damha et al.
Application No.: 09/719,870 Group No.: 1635
Filed: April 12, 2001 Examiner: Janet L. Epps Ford
For: ANTISENSE OLIGONUCLEOTIDE CONSTRUCTS BASED ON
BETA-ARABINOFURANOSE AND ITS ANALOGUES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to MAIL STOP RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Date: March <u>3</u> , 2005	 Debra J. Kellom

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.56, 1.97, and 1.98, Applicants wish to bring to the Examiner's attention the following references, References C1-C3 cited in the attached Form PTO-1449.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

- | | |
|---------------|---|
| <u> X </u> | (1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or |
| <u> </u> | (2) within three months of the mailing date of the PCT International Search Report; or |
| <u> </u> | (3) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance , and the requisite Certification or fee under Rule 1.17(p), namely \$180.00 , is included herein; or |

_____ (4) after the mailing date of a **Final Rejection** or **Notice of Allowance** but before the payment of the **Issue Fee**, and the requisite Certification, petition, and petition fee are included herein.

_____ A copy of the International Search Report is enclosed herewith.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application.

Copies of these documents (CHECK ONE):

 X are enclosed herewith; or

_____ have been cited in the parent application, and are thus not being resubmitted herein.

FEE AUTHORIZATION

The Commissioner is authorized to charge fee deficiencies or credit overpayments associated with this submission to the NIXON PEABODY LLP Deposit Account No. 50-0850.


Date: March 3 , 2005

Respectfully submitted,



David S. Resnick (Reg. No. 34,235)
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(617) 345-6057

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<div style="text-align: center;">  <p>Substitute for form 1449 F-1</p> <h2 style="margin: 10px 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="margin: 10px 0;">(use as many sheets as necessary)</p> </div>				Complete if Known	
				Application Number	09/719,870
				Filing Date	April 12, 2001
				First Named Inventor	Damha et al.
				Art Unit	1635
				Examiner Name	Janet L. Epps Ford
Sheet	1	of	2	Attorney Docket Number	701826-055820

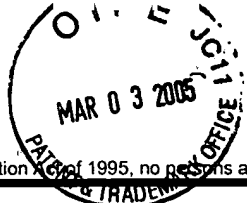
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

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Substitute for form 1449 PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	09/719,870		
		Filing Date	April 12, 2001		
		First Named Inventor	Damha et al.		
		Art Unit	1635		
		Examiner Name	Janet L. Epps Ford		
Sheet	2	of	2	Attorney Docket Number	701826-055820

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	C1	OLIVER SEITZ, Chemically Modified Antisense Oligonucleotides – Recent Improvements of RNA Binding and Ribonuclease H Recruitment, <i>Angew. Chem. Int. Ed.</i> 1999, 38, 23, 3466-3469	
	C2	JENS KURRECK, Antisense technologies – Improvement through novel chemical modifications, <i>Eur. J. Biochem.</i> 270, 1628-1644 (2003)	
	C3	LISBET KVAERNO and JESPER WENGEL, Antisense molecules and furanose conformations – is it really that simple ?, <i>Chem. Commun.</i> 2001, 1419-1424	

Examiner Signature		Date Considered	
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